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PATENT ATTORNEY DOCKET NO.: .063101-5004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	Application of:	)	
	James STEPHENSON et al.	)	Confirmation No.: 2104
Applic	cation No.: 10/039,296	)	Group Art Unit: 2827
Filed:	October 19, 2001	)	Examiner: C. Yoha
For:	NON-VOLATILE MAGNETIC	)	
	MEMORY DEVICE	)	Mail Stop <u>Amendment</u>
	nissioner for Patents		
U.S. P	atent and Trademark Office		
Custo	mer Window, Mail Stop Amendment		
	olph Building		
	ndria, VA 22314		

Sir:

# **AMENDMENT TRANSMITTAL FORM**

- 1. Transmitted herewith is an Amendment in response to the Office Action dated January 25, 2005.
- 2. Additional papers enclosed.
  - [X] Revocation of Original Power of Attorney and Grant of New Power by Assignee(s)
  - [X] Change of Correspondence Address
  - [] Form PTO-1449, 1 reference included
  - [] Citations

06/29/2005 EAREGAY1 00000026 500310 10039296 01 FC:1252 450.00 DA

ATTORNEY DOCKET NO.: 063101-5004

Application No.: 10/039,296

Page 2

### 3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- [] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- [X] Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

Fee for Extension	[Fee for Small Entity]		
\$ 120.00	\$ 60.00		
\$ 450.00	\$225.00		
\$1020.00	\$510.00		
\$1590.00	\$795.00		
	\$ 120.00 <b>\$ 450.00</b> \$1020.00		

If an additional extension of time is required, please consider this a Petition therefor.

[] An extension for \_\_ months has already been secured and the fee paid therefor of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested.

## 4. Constructive Petition

[X] EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

ATTORNEY DOCKET NO.: 063101-5004

Application No.: 10/039,296

Page 3

#### 5. Fee Calculation (37 C.F.R. §1.16)

			CLAIMS AS AMEND	ED				
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees		
Total Claims (37 C.F.R. §1.16(c))	81	Minus	81	0	x \$50.00 each=	+ \$0.00		
Independent Claims (37 C.F.R.§1.16(b))	4	Minus	4	0	x \$200.00 each=	+ \$ 0.00		
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$ 0.00		
SUB-TOTAL = \$ 0.00								
Reduction by 1/2 for filing by a small entity- \$								
TOTAL FEE = \$ 0.00								

#### 6. Fee Payment

- No fee is to be paid at this time.
- [X] Please charge our Deposit Account No. 50-0310 in the amount of \$450.00 for the two-month extension of time fee.
- [X] The Commissioner is hereby authorized to charge any additional fees including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

Kyle J. Choi

Reg. No. 41,480

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 27, 2005

**CUSTOMER NO.: 009629** MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004 Telephone: 202-739-3000 Facsimile: 202-739-3001